

1 McGREGOR W. SCOTT  
United States Attorney  
2 BOBBIE J. MONTOYA  
Assistant U. S. Attorney  
3 501 I Street, Suite 10-100  
Sacramento, California 95814-2322  
4 Telephone: (916) 554-2700

5 Attorneys for Defendant

6  
7 IN THE UNITED STATES DISTRICT COURT  
8 FOR THE EASTERN DISTRICT OF CALIFORNIA  
9

10 GUADALUPE HERNANDEZ,

11 Plaintiff,

12 v.

13 JO ANNE B. BARNHART,  
Commissioner of  
14 Social Security,

15 Defendant.

Case No. 2:05-CV-00380-GGH

**STIPULATION AND ORDER OF  
REMAND PURSUANT TO  
SENTENCE SIX OF 42 U.S.C. §  
405(g)**

16  
17 IT IS HEREBY STIPULATED by the parties, through their undersigned attorneys, and with  
18 the approval of the Court as provided below, that this case will be remanded for further administrative  
19 proceedings pursuant to the sixth sentence of 42 U.S.C. § 405(g). The Commissioner has been unable  
20 to locate the claim file and therefore cannot prepare the administrative transcript. Upon remand, the  
21 Commissioner will continue to search for the claim file. When the claim file has been located, a  
22 Certified Administrative Transcript will be prepared for filing as part of the Commissioner's answer  
23 in this case.

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The parties further stipulate that counsel for Plaintiff will provide a facsimile of this stipulation bearing counsel's signature for retention in Defendant's case file, and hereby authorizes counsel for Defendant to file this document in .pdf format under the latter's Electronic Case Filing password, pursuant to Local Rule 7-131

DATED: February 2, 2006

/s/ Ann M. Cerney  
ANN M. CERNEY

Attorney for Plaintiff

DATED: February 2, 2006

McGREGOR W. SCOTT  
United States Attorney

By: /s/ Bobbie J. Montoya

BOBBIE J. MONTOYA  
Assistant U. S. Attorney

Attorneys for Defendant

OF COUNSEL:

LUCILLE GONZALES MEIS  
Chief Counsel, Region IX

ELIZABETH FIRER  
Assistant Regional Counsel

Office of the General Counsel  
U. S. Social Security Administration

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**ORDER**

For good cause shown, **HERNANDEZ v. BARNHART** (Case No. 2:05-CV-00380-GGH) is hereby REMANDED under sentence six of 42 U.S.C. § 405(g), pursuant to the stipulation of the parties.

**SO ORDERED.**

**DATED: 2/8/06**

**/s/ Gregory G. Hollows**

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**GREGORY G. HOLLOWS**  
**UNITED STATES MAGISTRATE JUDGE**

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